

DECLARATION OF KIRK D. HOLMAN

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I make the following declaration of my personal knowledge and could competently testify to the facts set forth herein if called as a witness. I am over the age of 21 years.

2. I graduated from the University of Missouri - Kansas City School of Law in 1999 and was admitted to the Missouri Bar and the United States District Court for the Western District of Missouri that same year.

3. I was admitted to practice before the Eighth Circuit Court of Appeals in 2000 and have argued before that Court on (3) three occasions and was admitted to practice before the Kansas Bar and United States District Court of Kansas and the Tenth Circuit Court of Appeals in 2000 and have argued before the Tenth Circuit on (1) one occasion.

4. I am an active member of the American Bar Association Labor and Employment Division and the National Employment Lawyers Association, The Kansas City Chapter of the National Employment Lawyers Association, The American Association of Justice, and the Missouri Association of Trial Attorneys.

5. I have been selected by Missouri Lawyers Weekly in 2020 and 2021 as one of “The Power 30 – Employment Law,” recognizing me as one “the 30 most powerful employment attorneys in Missouri.”

6. In 2022, Missouri Lawyers Weekly selected me as one of “The Power 35 – Employment Law,” recognizing me as one “the 35 most powerful employment attorneys in Missouri.”

7. I am a member of "The National Trial Lawyers Top 100 Trial Lawyers" for the State of Missouri. The Association is a national organization composed of the Top 100 Trial Lawyers from each state. Membership is obtained through special invitation and is extended only to those attorneys who exemplify superior qualifications, leadership, reputation, influence, stature, and profile as trial lawyers, both civil plaintiff and criminal defense.

8. I have also been honored by my peers as being named "Best of the Bar" and a "Missouri/Kansas Super Lawyer" for Employment Related Litigation.

9. I have also been honored by peers as a Top 100: 2020 Missouri & Kansas Super Lawyer; Top 50: 2020 Kansas City Super Lawyer; and Top 100: 2019 Missouri & Kansas Super Lawyers.

10. I am rated AV Preeminent® by Martindale-Hubbell. This mark is a significant rating accomplishment - a testament to the fact that my legal peers rank me at the highest level of professional excellence.

11. I have tried to verdict as first chair 2 verdicts in excess of \$10,000,000, 1 additional verdict in excess of \$5,000,000, and 4 additional verdicts in excess of \$1,000,000.

12. In addition to the above verdicts, I have been lead trial counsel for the plaintiff in 13 cases which resulted in verdicts in excess of \$125,000.

13. The fee petition is for services rendered in 2020 through 2022 and was calculated using a \$550.00 hourly rate for my services by billing in 10-minute increments, e.g., .1 represents 10 minutes and 1.0 represents one hour. I believe this rate to be reasonable and within the range of fees customarily charged and is in line with prevailing market rates in the Mid-Missouri area for attorneys of my background and experience whose practice focuses on litigation.

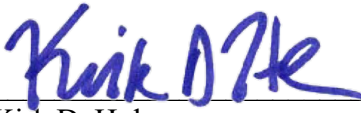
14. The hours I devoted to this litigation were reasonably necessary. The services I rendered in connection with this fee motion and related submissions were not duplicated by the work of others and are attached as Exhibit A.

15. A true and accurate copy of the unreimbursed expenses incurred in the representation of Plaintiff is attached as Exhibit C.

16. The agreement entered into between Holman Schiavone, LLC and Plaintiff was a contingency fee in which Holman Schiavone, LLC agreed that it would not be paid unless Plaintiff received some monetary recovery. In addition, Holman Schiavone, LLC agreed to advance all legal expenses and costs related to the representation of Plaintiff.

I declare under penalty of perjury, that the foregoing is true and correct.

Executed on this 27th day of December 2022.


Kirk D. Holman